

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

STAMBAUGH’S AIR SERVICE, INC.,	:	
	:	
Plaintiff	:	
v.	:	CASE NO. 1:CV-00-0660
	:	
SUSQUEHANNA AREA REGIONAL	:	Judge Yvette Kane
AIRPORT AUTHORITY, BAA	:	Magistrate Judge J. Andrew Smyser
HARRISBURG, INC., DAVID FLEET,	:	
individually, DAVID HOLDSWORTH,	:	
individually, and DAVID C. McINTOSH,	:	JURY TRIAL DEMANDED
individually,	:	
Defendants	:	
.....	:	

**JOINT MOTION TO EXTEND
PLAINTIFF, STAMBAUGH’S AIR SERVICE, INC.’S,
TIME TO RESPONSE TO DEFENDANTS’ MOTION FOR SANCTIONS
FOR FAILURE TO PROPERLY AND TIMELY DISCLOSE DOCUMENTS
SUPPORTING DAMAGES CLAIM**

AND NOW, comes the Plaintiff, Stambaugh’s Air Service, Inc., by and through its counsel, Cunningham & Chernicoff, P.C. and Defendants SARAA and the various individual Defendants by and through their counsel, Rhoads & Sinon, who file this Joint Motion to Extend the Deadline by which Plaintiff, Stambaugh’s Air Service, Inc., is required to file a Response and Brief in Opposition to Defendants’ Motion for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim and in support thereof, avers the following:

1. Defendants filed a Motion for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim on July 5, 2007.

2. Defendants filed a Brief in Support of Motions for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim on July 9, 2007.

3. Pursuant to Federal Rule of Civil Procedure, Plaintiff must file its Response and Brief in Opposition to Defendants' Motion for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim on or before July 24, 2007.

4. On July 20, 2007, Plaintiff and Defendants entered into preliminary discussions regarding a global settlement of the case.

5. During the course of the next several days, Plaintiff and Defendants each spoke with their respective clients to determine whether such a global settlement could be negotiated and achieved.

6. In the afternoon of July 23, 2007, Defendants' counsel contacted Plaintiff's counsel and advised he believed that a global settlement could be achieved, however, due to the nature of the SARAA Board, all board members being volunteers and, at times, not readily available, he had not been able to discuss the terms and conditions of the global settlement with the various Board member.

7. As a result, Defendants' counsel indicated to Plaintiff's counsel that he would not be in a position to advise Plaintiff's counsel whether a global settlement could be reached upon the terms and conditions discussed between counsel on July 20, 2007 until Friday, July 27, 2007.

8. Plaintiff, in the meanwhile, has been drafting a response to Defendants' Motion for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim as well as drafting a Brief in Opposition to Defendants' Motion for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim .

9. As of the date of this pleading, Plaintiff is in the process of drafting and revising its Brief in Opposition to the Motion for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim .

10. In light of the potential of a global settlement being reached between the parties, Plaintiff and Defendants file this Joint Motion to Extend the date by which Plaintiff must file a Response and Brief in Opposition to Defendants' Motion for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim until July 31, 2007.

11. In the event the parties are not able to reach a global settlement by July 31, 2007, Plaintiff will still be in a position to complete its Response and Brief in Opposition to Defendants' Motion for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim by July 31, 2007.

WHEREFORE, the parties jointly request this Honorable Court to Extend the date on which Plaintiff must file its Response and Brief in Opposition to Defendants' Motion for Sanctions for Failure to Properly and Timely Disclose Documents Supporting Damages Claim to July 31, 2007.

Respectfully submitted,

CUNNINGHAM & CHERNICOFF, P.C. RHOADS & SINON

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Dated: July 25, 2007

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individually, and DAVID C. McINTOSH,	:	
individually,	:	JURY TRIAL DEMANDED
Defendants	:	
.....	:	

CERTIFICATE OF SERVICE

I, Angela L. Hewitt, legal secretary with the law firm of Cunningham & Chernicoff, P.C., hereby certify that on the **23TH** day of **July, 2007**, served a true and correct copy of the foregoing **JOINT MOTION TO EXTEND PLAINTIFF, STAMBAUGH’S AIR SERVICE, INC.’S, TIME TO RESPONSE TO DEFENDANTS’ MOTION FOR SANCTIONS FOR FAILURE TO PROPERLY AND TIMELY DISCLOSE DOCUMENTS SUPPORTING DAMAGES CLAIM** by electronic means or first-class U.S. Mail, postage prepaid, to:

Dean F. Piermattei, Esquire
Rhoads & Sinon LLP
One South Market Sq., 12th Flr.
P.O. Box 1146
Harrisburg, PA 17108-1146

/s/Angela L. Hewitt
Angela L. Hewitt